

11-29-01

From: James Peden
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K.R.E.F.

To: General Counsel
Kentucky Registry of Election Finance
140 Walnut St
Frankfort, Ky 40601

Dear Counsel,

I am requesting an opinion on the following item regarding printed publications and the difference between advertising and news reporting. Enclosed you will find an old copy of one of the publication in question. I hope it will aid your decision.

I am running for a council seat on the new Metro Government of Louisville. I am currently also a volunteer firefighter. The officer in charge of our quarterly newsletter has mentioned putting my candidacy in the newsletter just as a human interest story and not as any form of advertisement or endorsement. The On Scene with Highview Fire publication just wants to mention that one of its own is seeking office. It does personnel profiles each issue anyway so this would not be an out of the ordinary article. This fire department is not incorporated, it is a special taxing district under KRS 75. A recent phone call to the Registry advised me they could print the article but I would have to document some level of inkind donation. My chief and I would like documentation on the following questions:

1. Can the fire department print an article about my candidacy without breaking any rules or laws?
2. If they can print this article are they required to give equal time to other candidates both in my party and out?
3. If the article is printed and the logging of the donation is required what standard for an amount do I use?

Thank you for your time and effort on these questions. If you need extra information please call or write or email.

Thanks again,



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